

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>STEVEN J. EVANITUS,</b>	:	<b>Civil No. 1:20-CV-1187</b>
	:	
<b>Plaintiff</b>	:	
	:	
<b>v.</b>	:	
	:	<b>(Magistrate Judge Carlson)</b>
<b>KILOLO KIJAKAZI,</b>	:	
<b>Acting Commissioner of Social Security,<sup>1</sup></b>	:	
	:	
<b>Defendant</b>	:	

**ORDER**

Accordingly, for the reasons set forth in the accompanying Memorandum opinion, IT IS ORDERED that the plaintiff's request for a new administrative hearing before a different constitutionally appointed ALJ is GRANTED, the final decision of the Commissioner denying this claim is VACATED, and this case is REMANDED to the Commissioner to conduct a new administrative hearing pursuant to 42 U.S.C. § 405(g). IT IS FURTHER ORDERED that final judgment should be entered in favor of the plaintiff and against the Commissioner of Social Security.

So ordered this 23d day of November 2021.

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<sup>1</sup> Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Accordingly, pursuant to Rule 25(d) of the Federal Rules of Civil Procedure and 42 U.S.C. § 405(g), Kilolo Kijakazi is substituted for Andrew Saul as the defendant in this suit.

*S/Martin C. Carlson*

Martin C. Carlson

United States Magistrate Judge